

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Mark H. Kaeding,

Petitioner,

v.

Case No. 1:11cv121

Warden, Lebanon Correctional
Institution,

Judge Michael R. Barrett

Defendant.
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JUDGMENT IN A CIVIL CASE

[] JURY VERDICT: This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

[X] DECISION BY COURT: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: The Report and Recommendation (Doc. 45) is adopted; the Petitioner's Petition is DISMISSED with prejudice. This matter is closed.

Date: September 30, 2013

John P. Hehman, Clerk
Clerk

By: _____
S/Barbara A. Crum
Deputy Clerk